

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

LAUREN HOWIE LAUR,

Plaintiff,

Case No: 2:14-CV-00027

vs.

CITY OF MEQUON, CITY OF MEQUON
POLICE DEPARTMENT, ESTATE OF MEQUON
POLICE OFFICER TYLER GAIDISH and
MEQUON POLICE OFFICER MICHAEL KRANZ,

Defendants.

PLAINTIFF'S PROPOSED JURY INSTRUCTIONS

- 1.01 General: Functions of the Court and Jury
- 1.02 No Inference From Judge's Questions
- 1.04 Evidence
- 1.05 Deposition Testimony
- 1.06 What is Not Evidence
- 1.08 Consideration of All Evidence Regardless of Who Produced
- 1.10 Evidence Limited to Certain Parties
- 1.11 Weighing the Evidence
- 1.12 Definition of "Direct" and "Circumstantial" Evidence
- 1.13 Testimony of Witness: Deciding What to Believe
- 1.14 Prior Inconsistent Statements [or Acts]
- 1.15 Impeachment of Witness-Convictions
- 1.16 Lawyer Interviewing Witness
- 1.17 Number of Witnesses
- 1.18 Absence of Evidence
- 1.21 Expert Witnesses
- 1.24 Demonstrative Evidence
- 1.25 Multiple Claims; Multiple Plaintiffs/Defendants
- 1.27 Burden of Proof
- 1.29 Burden for Affirmative Defense/Burden-Shifting Theory
- 1.30 Proximate Cause
- 1.31 No Need to Consider Damages Instruction
- 1.32 Selection of Presiding Juror; General Verdict
- 1.33 Communication with Court

1.34 Disagreement Among Jurors

7.02 General: Requirement of Personal Involvement

7.03 General: "Color of Law"

7.04 Limiting Instruction Concerning Evidence of Statutes, Administrative Rules, Regulations, and Policies

7.17 Liability of Supervisors: Elements

7.19 Liability of Municipality

7.20 Liability of Municipality: Definition of "Official Policy"

7.21 Liability of Municipality for Failure to Train: Elements

7.22 Damages: Prefatory Instruction

7.23 Damages: Compensation

7.24 Damages: Punitive

Special Instructions:

1. Defendant is alleged to have violated ss968.255

Plaintiff must prove as follows:

- A. Defendant conducted a strip search which "means a search in which a detainee's genitals, pubic area, buttock or anus, or a female detainee's breast, is uncovered and either is exposed to view or is touched by a person conducting the search, except that if the detainee is a person defined in par. (a) 5., "strip search" means a search in which a detainee's genitals, pubic area, buttock or anus, or a female detainee's breast, is uncovered and exposed to view but is not touched by a person conducting the search unless the touching is necessary to gain the detainee's cooperation with the search or unless the touching is necessary to assist a disabled detainee's cooperation with the search."
 - i. The strip search was conducted by a person of the opposite sex.
 - ii. The search was recorded via photograph and video/audio.
2. Defendants' are alleged to have violated Plaintiff's Fourth and Fourteenth Amendment Rights by conducting an unreasonable /unlawful search of Plaintiff. Plaintiff must prove that
 - A. Defendant searched Plaintiff's person.
 - B. Defendant acted intentionally.
 - C. The search was unreasonable.

by: /s/Kimberly Powers (w/ permission)
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